

JUL 19 2011

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISIONJAMES N. HATTEN, Clerk  
By: *[Signature]* Deputy Clerk

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION  
NO. 4:09-CR-38-1

CHADWICK KEITH BRANNON,

Defendant.

O R D E R

After carefully considering the report and recommendation of the magistrate judge, the court receives it with approval and adopts it as the opinion and order of this court.<sup>1</sup>

SO ORDERED, this 19<sup>TH</sup> day of July, 2011.

*[Signature]*  
ROBERT L. VINING JR.  
Senior United States District Judge

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<sup>1</sup> On June 13, 2011, the defendant filed an objection to the report and recommendation. In his objection, the defendant argues that the government failed to meet its evidentiary burden with regard to whether the possession of Vicky's image by the defendant proximately caused Vicky's harm. Moreover, the defendant argues that the estimation for Vicky's future counseling expenses provided by Dr. Green was not based on facts. Lastly, the defendant argues the amount of restitution recommended by the magistrate judge is not reasonable. However, all of the defendant's arguments are without merit and do not warrant extended discussion. While the court notes that the Eleventh Circuit has not specifically adopted the reasoning of United States v. Norris, 159 F.3d 926, 929-31 (5th Cir. 1998), the court finds this case persuasive on the issue of whether Vicky was a "victim" within the meaning of § 2259(c).